

- Sec.
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SUBCHAPTER I—GENERAL PROVISIONS

SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in section 758 of this title.

§ 471. Congressional declaration of policy

It is the intent of the Congress in enacting this legislation to provide for the Government an economical and efficient system for (a) the

procurement and supply of personal property and nonpersonal services, including related functions such as contracting, inspection, storage, issue, specifications, property identification and classification, transportation and traffic management, establishment of pools or systems for transportation of Government personnel and property by motor vehicle within specific areas, management of public utility services, repairing and converting, establishment of inventory levels, establishment of forms and procedures, and representation before Federal and State regulatory bodies; (b) the utilization of available property; (c) the disposal of surplus property; and (d) records management.

(June 30, 1949, ch. 288, § 2, 63 Stat. 378; Sept. 1, 1954, ch. 1211, § 1, 68 Stat. 1126.)

REFERENCES IN TEXT

This legislation, referred to in text, means the Federal Property and Administrative Services Act of 1949, as amended. For complete classification of this Act to the Code, see Short Title note below.

CODIFICATION

Section was formerly classified to section 201 of Title 41, Public Contracts.

AMENDMENTS

1954—Act Sept. 1, 1954, extended section to cover establishment of motor vehicle pools and transportation systems for Government personnel and property.

EFFECTIVE DATE

Section 605, formerly § 505, of act June 30, 1949, renumbered by act Sept. 5, 1950, ch. 849, § 6(a), (b), 64 Stat. 583, provided that: "This Act [see Short Title note below] shall become effective on July 1, 1949, except that the provisions of section 602(a)(2) (repealing prior law relating to the disposition of the affairs of the War Assets Administration) [repealing note set out under section 1614a of the Appendix to Title 50, War and National Defense] shall become effective on June 30, 1949."

SHORT TITLE OF 1988 AMENDMENT

Pub. L. 100-612, § 1, Nov. 5, 1988, 102 Stat. 3180, provided that: "This Act [amending sections 481, 484, 485, and 488 of this title and repealing section 493 of this title] may be cited as the 'Federal Property Management Improvement Act of 1988'."

SHORT TITLE

Section 1(a) of act June 30, 1949, as amended by Pub. L. 103-355, title X, § 10005(a)(2), Oct. 13, 1994, 108 Stat. 3406, provided that: "This Act may be cited as the 'Federal Property and Administrative Services Act of 1949'." The Act is classified to the Code generally as follows:

Sections 2 and 3 classified to sections 471 and 472 of this title.

Title I classified principally to chapter 16 (§ 751 et seq.) of this title.

Title II classified principally to subchapter II (§ 481 et seq.) of this chapter.

Title III classified generally to subchapter IV (§ 251 et seq.) of chapter 4 of Title 41, Public Contracts. Title IV classified generally to subchapter III (§ 511 et seq.) of this chapter.

Title V was classified generally to chapter 11 (§ 392 et seq.) of former Title 44, Public Printing and Documents, prior to the general revision and enactment of Title 44 by Pub. L. 90-620, § 1, Oct. 22, 1968, 82 Stat. 1238. The subject matter of title V is covered by chapter 21 (§ 2101 et seq.), chapter 25 (§ 2501 et seq.), chapter 27 (§ 2701 et seq.), chapter 29 (§ 2901 et seq.), and chapter 31 (§ 3101 et seq.) of Title 44.

Title VI classified principally to subchapter I (§471 et seq.) of this chapter.

Title VII classified generally to subchapter IV (§521 et seq.) of this chapter.

Title VIII classified generally to subchapter V (§531 et seq.) of this chapter.

Title IX classified generally to subchapter VI (§541 et seq.) of this chapter.

For complete classification of this Act to the Code, see Tables.

Title VIII of act June 30, 1949, which is classified to subchapter V (§531 et seq.) of this chapter, is known as the “Federal Urban Land-Use Act”, see Short Title note set out under section 531 of this title.

Title IX of act June 30, 1949, which is classified to subchapter VI (§541 et seq.) of this chapter, is known as the “Brooks Architect-Engineers Act”.

SEPARABILITY

Section 604, formerly §504, of act June 30, 1949, renumbered by act Sept. 5, 1950, ch. 849, §6(a), (b), 64 Stat. 583, provided that: “If any provision of this Act [see Short Title note above], or the application thereof to any person or circumstances, is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.”

STYLISTIC CONSISTENCY

Pub. L. 103-355, title X, §10005(b)(2), Oct. 13, 1994, 108 Stat. 3408, provided that: “The Federal Property and Administrative Services Act of 1949 (41 U.S.C. 471 et seq.) [see Short Title note above] is amended so that the section designation and section heading of each section of such Act is in the same form and typeface as the section designation and heading of this section [108 Stat. 3406].”

ACT REFERRED TO IN OTHER SECTIONS

The Federal Property and Administrative Services Act of 1949 is referred to in sections 304, 311b, 472 to 476, 482, 483b to 484-1, 484d, 485, 485a, 486, 488, 489, 492, 605, 751, 752, 754 to 756, 758 of this title; title 5 section 7342; title 7 sections 15b, 55, 79, 473a, 1736a, 1985, 2279b, 5922; title 10 sections 2552, 2676, 2691, 2696, 2854a, 2878, 7305, 9441, 9781; title 12 sections 90, 1701z, 1701z-2, 1788; title 14 sections 92, 93, 641, 685; title 15 sections 205f, 714b; title 16 sections 1a-2, 79c, 160b, 396f, 410r-6, 430a-2, 430h-7, 441l-5, 450ss-6, 460m-9, 460x-7, 460bb-2, 460ee, 460ff-1, 460hh-1, 505a, 590q-1, 793, 2106; title 20 sections 196, 3475; title 22 sections 277d-36, 277e, 2358, 2581, 2713, 5422; title 25 sections 190, 293, 450j; title 30 section 4; title 33 section 578; title 41 sections 254, 405; title 42 sections 1592a, 1592d, 2201, 2297b-11, 2473, 4638, 5196, 5919, 12651g; title 43 sections 1702, 1736; title 44 section 311; title 45 section 1212; title 48 section 1685; title 49 section 103; title 50 sections 167b, 415, 1651; title 50 App. section 2393.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 491 of this title.

§ 472. Definitions

As used in titles I through VI of this Act—

(a) The term “executive agency” means any executive department or independent establishment in the executive branch of the Government, including any wholly owned Government corporation.

(b) The term “Federal agency” means any executive agency or any establishment in the legislative or judicial branch of the Government (except the Senate, the House of Representatives, and the Architect of the Capitol and any activities under his direction).

(c) The term “Administrator” means the Administrator of General Services provided for in chapter 16 of this title.

(d) The term “property” means any interest in property except (1) the public domain; lands reserved or dedicated for national forest or national park purposes; minerals in lands or portions of lands withdrawn or reserved from the public domain which the Secretary of the Interior determines are suitable for disposition under the public land mining and mineral leasing laws; and lands withdrawn or reserved from the public domain except lands or portions of lands so withdrawn or reserved which the Secretary of the Interior, with the concurrence of the Administrator, determines are not suitable for return to the public domain for disposition under the general public-land laws because such lands are substantially changed in character by improvements or otherwise; (2) naval vessels of the following categories: Battleships, cruisers, aircraft carriers, destroyers, and submarines; and (3) records of the Federal Government.

(e) The term “excess property” means any property under the control of any Federal agency which is not required for its needs and the discharge of its responsibilities, as determined by the head thereof.

(f) The term “foreign excess property” means any excess property located outside the States of the Union, the District of Columbia, Puerto Rico, American Samoa, Guam, the Trust Territory of the Pacific Islands, and the Virgin Islands.

(g) The term “surplus property” means any excess property not required for the needs and the discharge of the responsibilities of all Federal agencies, as determined by the Administrator.

(h) The term “care and handling” includes completing, repairing, converting, rehabilitating, operating, preserving, protecting, insuring, packing, storing, handling, conserving, and transporting excess and surplus property, and, in the case of property which is dangerous to public health or safety, destroying or rendering innocuous such property.

(i) The term “person” includes any corporation, partnership, firm, association, trust, estate, or other entity.

(j) The term “nonpersonal services” means such contractual services, other than personal and professional services, as the Administrator shall designate.

(k) The term “contractor inventory” means (1) any property acquired by and in the possession of a contractor or subcontractor under a contract pursuant to the terms of which title is vested in the Government, and in excess of the amounts needed to complete full performance under the entire contract; and (2) any property which the Government is obligated or has the option to take over under any type of contract as a result either of any changes in the specifications or plans thereunder or of the termination of such contract (or subcontract thereunder), prior to completion of the work, for the convenience or at the option of the Government.

(l) The term “motor vehicle” means any vehicle, self-propelled or drawn by mechanical power, designed and operated principally for highway transportation of property or passengers, exclusive of any vehicle designed or used for military field training, combat, or tac-